

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON AGRICULTURE**

**Call to Order:** By Chairman Edward B. Butcher, on January 25, 2007 at 3:00 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Edward B. Butcher, Chairman (R)  
Rep. Carol Lambert, Vice Chairman (R)  
Rep. Jonathan Windy Boy, Vice Chairman (D)  
Rep. Shannon Augare (D)  
Rep. Scott Boggio (R)  
Rep. Mary Caferro (D)  
Rep. Julie French (D)  
Rep. Ralph Heinert (R)  
Rep. Teresa K. Henry (D)  
Rep. Mike Jopek (D)  
Rep. Jim Keane (D)  
Rep. Krayton Kerns (R)  
Rep. Bruce Malcolm (R)  
Rep. Scott Mendenhall (R)  
Rep. Diane Rice (R)  
Rep. John (Jack) W. Ross (R)  
Rep. Dan Villa (D)

**Members Excused:** Rep. Llew Jones

**Members Absent:** None

**Staff Present:** Dee Barfknecht, Committee Secretary  
Krista Lee Evans, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing: HB 326, HB 364  
Executive Action: HB 47, HB 269, HJ 10

**HEARING ON HB 364**

**Opening Statement by Sponsor:**

00:02:01 Rep. Bruce Malcolm (R), HD 61, opened the hearing on HB 364, Establish board and fund to compensate livestock owners for wolf predation.

**Proponents' Testimony:**

00:03:56 Dr. Nelson Wert, Fish, Wildlife and Parks (FWP), Wolf Advisory Council Member, Retired Veterinarian

**EXHIBIT (agh17a01)**

00:13:07 Sen. John Esp

00:14:13 Elaine Allestad, Montana Sheep Rancher

00:16:53 Mike McGinley, County Commissioner, Beaverhead County

00:17:47 Jay Bodner, Montana Stock Grower's Association

00:21:39 Janet Ellis, Montana Audubon

**Opponents' Testimony:**

00:22:06 Mike Barrett, Former Helena Town Councilman

**Informational Testimony:**

00:25:41 Chris Smith, Chief of Staff, FWP

**Questions from Committee Members and Responses:**

00:28:58 Rep. Henry

00:29:23 Rep. Malcolm

00:30:10 Rep. Boggio

00:30:26 Rep. Malcolm

00:30:40 Rep. Boggio

00:34:40 Rep. Malcolm

00:37:17 Rep. Boggio

00:38:04 Rep. Jopek

00:39:00 Mr. Wert

00:40:01 Rep. Jopek

00:40:42 Rep. Lambert

00:41:50 Rep. Malcolm

00:42:19 Rep. Lambert

00:43:18 Rep. Malcolm

00:43:31 Rep. Lambert

00:44:00 Rep. Malcolm

00:44:06 Rep. Heinert

00:44:30 Ms. Allestad

00:45:20 Rep. Heinert

00:45:33 Rep. Ross  
00:45:57 Ms. Allestad  
00:46:37 Rep. Ross  
00:47:03 Ms. Allestad  
00:47:13 Rep. Rice  
00:47:54 Mr. Smith  
00:48:27 Rep. Rice  
00:48:42 Mr. Smith  
00:49:41 Rep. Rice  
00:49:57 Mr. Smith  
00:50:45 Rep. Rice  
00:51:12 Mr. Smith  
00:51:42 Rep. Rice  
00:52:07 Mr. Smith  
00:53:59 Rep. Rice  
00:54:03 Mr. Smith  
00:54:23 Rep. Rice  
00:54:38 Mr. Smith  
00:54:54 Rep. Boggio  
00:55:12 Rep. Butcher  
00:56:31 Mr. Smith  
00:57:39 Rep. Butcher  
00:58:12 Ms. Allestad  
00:59:23 Rep. Butcher  
01:00:08 Ms. Allestad  
01:00:41 Rep. Mendenhall  
01:04:10 Mr. Smith  
01:06:52 Rep. Heinert  
01:07:45 Mr. Smith  
01:08:11 Rep. Heinert  
01:08:40 Mr. Smith  
01:08:59 Rep. Heinert  
01:09:15 Mr. Smith  
01:09:27 Rep. Malcolm  
01:10:18 Rep. Heinert  
01:10:40 Rep. Malcolm  
01:11:50 Rep. Ross  
01:12:11 Mr. Smith  
01:13:33 Rep. Ross  
01:13:53 Mr. Smith  
01:14:06 Rep. Lambert  
01:15:01 Mr. Smith  
01:15:53 Rep. Rice  
01:17:13 Mr. Smith  
01:17:57 Rep. Rice  
01:18:24 Rep. Butcher  
01:18:49 Mr. Smith  
01:19:57 Rep. Butcher  
01:20:06 Mr. Smith

01:21:02 Rep. Keane  
01:21:21 Mr. Smith  
01:21:30 Rep. Keane  
01:21:59 Mr. Smith  
01:23:33 Rep. Keane  
01:23:56 Mr. Smith  
01:24:39 Rep. Keane  
01:24:59 Mr. Smith  
01:25:17 Rep. Butcher  
01:26:31 Mr. Smith  
01:28:38 Rep. Butcher  
01:28:51 Rep. Malcolm  
01:29:41 Rep. Keane  
01:30:55 Rep. Windy Boy  
01:33:46 Mr. Smith  
01:35:36 Rep. Windy Boy  
01:36:10 Rep. Heinert  
01:37:05 Rep. Malcolm  
01:37:53 Rep. Heinert  
01:38:07 Sen. Esp  
01:39:17 Rep. Heinert  
01:39:21 Sen. Esp

**Closing by Sponsor:**

01:39:43 Rep. Malcolm

**HEARING ON HB 326**

**Opening Statement by Sponsor:**

01:42:42 Rep. Mike Jopek (D), HD 4, opened the hearing on HB 326, Cloned agricultural food product moratorium.

**Proponents' Testimony:** None

**Opponents' Testimony:**

01:47:54 Errol Rice, Montana Stock Grower's Association

**EXHIBIT**(agh17a02)

01:52:36 John Youngberg, Montana Farm Bureau

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:53:40 Rep. French  
01:54:36 Rep. Jopek  
01:55:05 Rep. Kerns  
01:55:23 Mr. Rice  
01:55:32 Rep. Kerns  
01:55:42 Mr. Rice  
01:55:53 Rep. Kerns  
01:56:03 Rep. Windy Boy  
01:56:37 Mr. Rice  
01:57:10 Rep. Caferro  
01:57:35 Rep. Jopek  
01:58:28 Rep. Caferro  
01:58:47 Rep. Jopek  
01:59:31 Rep. Caferro  
01:59:56 Rep. Jopek  
02:00:15 Rep. Henry  
02:00:25 Rep. Jopek  
02:01:24 Rep. Henry  
02:01:48 Rep. Jopek

**Closing by Sponsor:**

02:02:21 Rep. Jopek

---

**EXECUTIVE ACTION ON HB 269**

02:04:29 **Motion/Vote:** Rep. Rice moved that **HB 269 DO PASS.**  
Motion carried unanimously by voice vote. Rep. Jones  
voted by proxy.

**EXECUTIVE ACTION ON HB 47**

02:05:42 **Motion:** Rep. Boggio moved that **HB 47 DO PASS.**

**Discussion:**

02:05:51 Rep. Villa  
02:06:02 Rep. Mendenhall

02:06:26 **Substitute Motion/Vote:** Rep. Mendenhall made a  
substitute motion that **HB 47 BE TABLED.** The motion  
carried by roll call vote, 14-4. Reps. Windy Boy,  
Caferro, French and Jopek voted no. Rep. Jones voted  
by proxy.

---

**EXECUTIVE ACTION ON HJ 10**

02:08:33 **Motion:** Rep. Windy Boy moved that **HJ 10 DO PASS.**

**Discussion:**

02:08:44 Rep. Henry

02:09:06 **Vote:** Motion failed by roll call vote, 6-12. Reps. Windy Boy, Keane, Caferro, French, Henry and Jopek voted aye. Rep. Jones voted by proxy.

02:10:28 **Motion/Vote:** Rep. Villa moved that **HJ 10 BE TABLED** and reverse the vote. The motion carried unanimously by voice vote. Rep. Jones voted by proxy.

**ADJOURNMENT**

02:11:23 Adjournment

---

REP. EDWARD B. BUTCHER, Chairman

---

DEE BARFKNECHT, Secretary

EB/db

Additional Exhibits:

**EXHIBIT ([agh17aad.pdf](#))**